



DEPARTMENT OF HEALTH & HUMAN SERVICES

MAY 19 1999

Food and Drug Administration  
Rockville MD 20857

4909 '99 MAY 20 P1:32

The Honorable Thad Cochran  
United States Senate  
Washington, D.C. 20510

Dear Senator Cochran:

Thank you for your letter of April 26, 1999, also signed by fifteen of your colleagues concerning the petition for a performance standard for *Vibrio vulnificus* in shellfish filed with the Food and Drug Administration (FDA or the Agency) by the Center for Science in the Public Interest (CSPI). FDA published a request for comments on this petition in the Federal Register of January 21, 1999.

You express concern that the CSPI petition may be an attempt to circumvent the established process for dealing with molluscan shellfish in this country, namely that process utilizing the Interstate Shellfish Sanitation Conference (ISSC). You highlight the effectiveness of the Interim Control Plan developed by the ISSC and encourage additional educational and research efforts to improve the quality of shellfish as a reasoned and balanced manner to reduce oyster related illnesses without causing undue harm to the shellfish industry. And you request our assistance through the ISSC in establishing guidelines and priorities for these educational programs.

We appreciate your thoughtful comments and we have entered them into the Administrative Record for this petition. They will be reviewed in the Agency's deliberations on this petition.

Please contact us if we may be of further assistance in this matter. A similar letter has been sent to your co-signers.

Sincerely,

Melinda K. Plaisier  
Interim Associate Commissioner  
for Legislative Affairs

98P-0504

cc: Dockets Management Branch  
(Docket No. 98P-0504)

AN813

# United States Senate

WASHINGTON, DC 20510-1804

April 26, 1999

Jane E. Henney, Commissioner  
U.S. Food and Drug Administration  
5600 Fisher's Lane  
Rockville, MD 20857

Dear Commissioner Henney:

Congress, the Food and Drug Administration (FDA), the Interstate Shellfish Sanitation Conference (ISSC), and the shellfish industry continue to recognize the risks associated with *Vibrio vulnificus* to certain high risk individuals when they consume raw molluscan shellfish. The recent petition submitted to the FDA by the Center for Science in the Public Interest appears to be trying to circumvent the established process for dealing with molluscan shellfish in this country. We hope that your agency will steer this effort back into the appropriate forum.

The ISSC has made commendable efforts over the last few years to address this issue in a fair and practical process. The adoption of the Interim Control Plan, and subsequent actions by industry to meet the guidelines of the Plan, has improved the National Shellfish Sanitation Program in a practical way. The industry in the Gulf has been willing to change its handling practices to improve the quality and wholesomeness of oyster products.

We encourage efforts to get industry to reduce oyster related illnesses by developing additional methods to improve the quality of shellfish. However, restrictive control measures for added consumer protection not based on scientific research may cause undue harm to the shellfish industry, especially in the Gulf of Mexico. In addition, such efforts are contrary to the reasonable approach the Conference has taken thus far.


We want to reiterate our support for a balanced and practical program based on consumer education and information that is supported by scientific research. Moreover, we continue to support funding for educational programs that address *vibrio vulnificus*. We also want to encourage the ISSC to continue its efforts in this arena while researchers continue to develop additional practical strategies. Again, we firmly agree that any future ISSC policies should be based on risk assessments utilizing accurate scientific data.


As such, we will continue our support of educational responses to *vibrio vulnificus* through federally funded programs. We also support the continuation of industry expenditures to further educational efforts. We would appreciate the FDA working with us through the ISSC process in establishing guidelines and priorities for these educational programs.

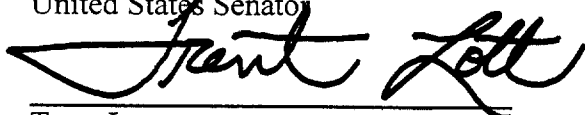
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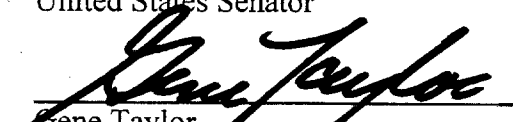
Jane E. Henney  
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April 26, 1999

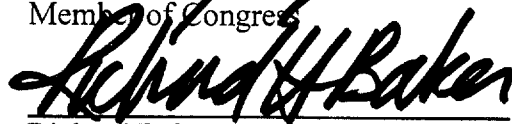
Sincerely,


  
John B. Breaux  
United States Senator

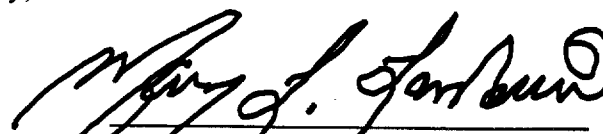
  
Thad Cochran  
United States Senator


  
Trent Lott  
United States Senator

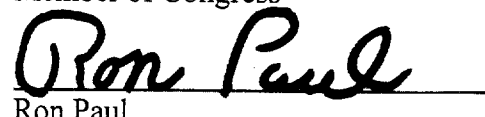
  
Gene Taylor  
Member of Congress


  
Richard Baker  
Member of Congress

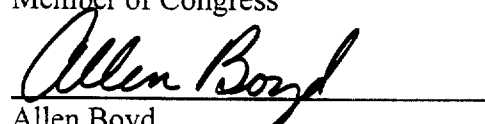
  
Bill Jefferson  
Member of Congress

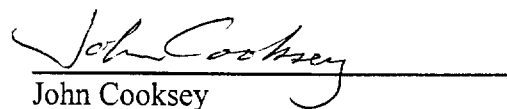
  
Mary L. Landrieu  
United States Senator


  
W.J. Billy Tauzin  
Member of Congress

  
Ron Paul  
Member of Congress

  
Chris John  
Member of Congress

  
Allen Boyd  
Member of Congress

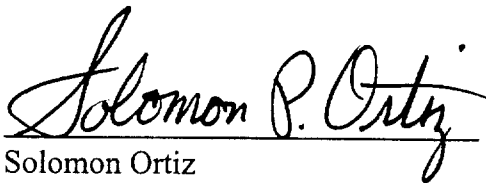
  
John Cooksey  
Member of Congress

  
Nick Lampson  
Member of Congress

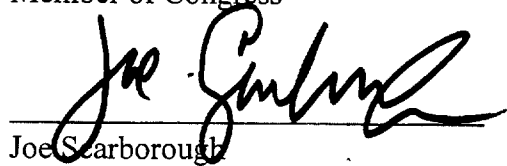
Jane E. Henney

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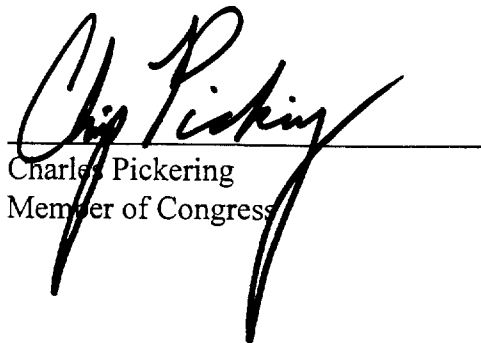
April 26, 1999

A handwritten signature in cursive script, reading "Solomon P. Ortiz".

Solomon Ortiz  
Member of Congress

A handwritten signature in cursive script, reading "Joe Scarborough".

Joe Scarborough  
Member of Congress

A handwritten signature in cursive script, reading "Chip Pickering".

Charles Pickering  
Member of Congress